

APPROVED 12/15/03

TOWN OF WESTFORD

PLANNING BOARD

MINUTES

DATE: December 1, 2003

TIME: 7:30 P.M.

PLACE: Westford Academy Choral Room

PRESENT: Peter Fletcher, Andrea Peraner-Sweet, Michael Green,
Robert Shaffer, Fred Palmer

OTHERS

PRESENT: Tim Greenhill-Town Planner, James Arsenault-Town
Engineer, Audience Members

OPEN FORUM

Moore Street – Attorney Douglas Deschenes stated that his clients are interested in developing a home on Lot 8 Coolidge Street. Deschenes showed the subdivision plan which was approved in 1952. In 1955 there was a re-division of the plan. Deschenes stated that Lot 8 has sufficient size and frontage along the proposed Coolidge Street. Deschenes stated that his clients would like to construct the home without building all of Coolidge Street to town standards and provide a single driveway (150 ft. long) to the lot. Deschenes asked the Board's permission to waive construction of that section of Coolidge Street. Fletcher stated that the Board will need to re-open the subdivision public hearing and a special permit public hearing for a private drive.

Master Plan Committee Update – Palmer stated that at the last meeting Khumalo indicated three options: redo the Master Plan using the format; using the format under Executive Order 418; or using Smart Growth. Palmer felt that Smart Growth was more of a concept as opposed to any kind of a structured format. Palmer stated that the decision needs to be made as to what kind of format should be used for updating the Master Plan. Palmer suggested more

discussion and coming back to the Board with a recommendation. Green agreed and stated that it was discussed having Khumalo join the meeting on Thursday, December 4, 2003 to get some clarification. Green stated that there is also a need for funding to update the Master Plan. Palmer stated that the Master Plan Committee will meet with Khumalo and bring a proposal to the Planning Board and then to the Board of Selectmen.

Chestnut Hills Update – Greenhill reported that telephone messages to OHC Development have not been returned. Arsenault reported that in response to a letter from the Highway Superintendent, OHC has lowered the structures in the roadway and removed some curbing. A waiver request to the Highway Superintendent to pave after November 15th was not granted.

Crisafulli School Crosswalk – Shaffer reported that a resident from Hutchins' Way raised concerns regarding the crosswalk at Robinson Road (at the entrance to the Crisafulli School at the base of Hutchins' Way). The resident was concerned about cars coming down from Flagg Road in the morning towards the school. Shaffer stated that the signage in the area is poor with only signs directly at the crosswalk. Shaffer asked for crosswalk and school zone signage in both directions. Peraner-Sweet suggested that Staff send a letter to the Permanent School Building Committee, with a copy to the Highway Superintendent and Police Safety Officer, indicating that concerns have been brought to the Board's attention regarding signage. Shaffer suggested that all of the schools be reviewed for appropriate signage.

Route 225 Bypass Road - Lauren Coffey, 178 Concord Road, read a statement regarding the proposed Route 225 Bypass Road. Coffey asked for a comparison of the presentation and graphical representations that were made at Town Meeting (May 2003) to what the current plan is. Coffey offered to assist in writing articles for the *Westford Eagle* in an effort to educate the town residents. Coffey also suggested involving the League of Women Voters for another traffic forum or another joint boards meeting. Fletcher stated that he would try to schedule a joint boards meeting with the Selectmen for an update.

Bob Krankewicz, 15 Boston Road, read a portion of a *Lowell Sun* article regarding the bypass road and comments attributed to Norman Khumalo. Krankewicz stated that there was much disagreement with the proposed bypass road proposal at town meeting. Shaffer suggested that Krankewicz speak to the Board of Selectmen.

Rome Drive Extension – Shaffer recused himself as he is an abutting landowner. James Avery, 8 Rome Drive, reported that the approved section of Rome Drive and the easement has been damaged by the developer. Avery asked when those damages would be repaired. Fletcher suggested that Avery speak to the Highway Superintendent. Peraner-Sweet suggested that Barrett

determine what Town's responsibility is, what will come out of the bond and develop for the Board a repair and maintenance schedule. Avery also reported that surveyors were on the site today regarding work on the cul-de-sac. Peraner-Sweet asked Arsenault to go out to the site with Barrett on Tuesday, December 2, 2003. Resident from 7 and 15 Rome Drive expressed frustrations regarding getting Rome Drive Extension plowed this winter. **It was moved by Peraner-Sweet, seconded by Green, and VOTED 4 IN FAVOR WITH 1 RECUSAL (Shaffer), that in consideration of the fact that Angelcrest failed to meet the deadlines and schedules established by the Planning Board, the Planning Board hereby moves to avail itself of all remedies in accordance with Ch. 41, § 81U and 81Y of the Massachusetts General Laws.** Green wanted to know who was doing the work on the site at this time. Peraner-Sweet recommended that the residents appear before the Selectmen on Tuesday, December 2, 2003 as Rome Drive Extension is one of their agenda items.

PUBLIC HEARING, CONTINUED, SHADE TREE ACT – CONCORD ROAD

Concord Road (Howard Road to Nashoba Farm), Hicks Realty, Continued from November 17, 2003

Mark Sleger, LANDTECH Consultants, was present for the applicant. Sleger proposed the removal of sixty-two (62) trees located within the right-of-way. The public hearing had been continued on November 17, 2003 so that an abutter could attend this hearing or provide comments in writing. Greenhill stated that he left a telephone message with the abutter. There was no input from the floor. **It was moved by Peraner-Sweet, seconded by Shaffer, and VOTED UNANIMOUSLY, to close the public hearing. It was moved by Green, seconded by Peraner-Sweet, and VOTED UNANIMOUSLY, to grant a Special Permit under the Shade Tree Act to Robert M. Hicks for the removal of trees along Concord Road in accordance with a plan dated February 7, 2003 with the following provisions: with the conditions as noted in the minutes of November 17, 2003.**

PUBLIC HEARING, CONTINUED, LIVING LABS @ NORMAN E. DAY SCHOOL

East Prescott Street, Westford Public Schools, Continued from November 17, 2003

Greenhill reported that information has been received from the applicant and distributed to the town departments for review. Greenhill also reported that the applicant has requested a continuation. Continued to January 5, 2004 at 7:35 p.m.

PUBLIC HEARING, CONTINUED, LAWTON AVENUE – DEFINITIVE SUBDIVISION – COMMON DRIVEWAY

2 Sunny Meadow Lane, Mary-Anne Finnegan, Continued from November 17, 2003

and

PUBLIC HEARING, CONTINUED, LAWTON AVENUE – FLEXIBLE DEVELOPMENT

2 Sunny Meadow Lane, Mary-Anne Finnegan, Continued from November 17, 2003

Attorney Douglas Deschenes was present for the applicant. Deschenes reported that he met last week with Planning Staff, Town Engineer and the Conservation Administrator to review the specific issues regarding drainage, water flows, constructions sequences, how the access road would be built, how the access road would be maintained, and erosion control. Deschenes stated that they are now working on a more detailed plan in terms of the access road, septic, drainage, etc. Deschenes stated that LANDTECH is working on the revised plans and a phasing plan. Both public hearings were continued to January 5, 2004 at 7:45 p.m.

MISCELLANEOUS:

Establishment of Bond – Weetamoo Way II – Mark Sleger, LANDTECH Consultants, was present for the applicant. Sleger reported that the driveway has been paved to binder course and that all paperwork has been submitted. **It was moved by Peraner-Sweet, seconded by Green, and VOTED UNANIMOUSLY, to establish a bond amount for \$32,296.88 for Weetamoo Way II bond. It was moved by Peraner-Sweet, seconded by Green, and VOTED UNANIMOUSLY, in reference to the bond amount for Weetamoo Way II the bond be held in a passbook at the Enterprise Bank and Trust Company.**

Final Bond Release – Greystone Estates –

Caldwell Drive - It was moved by Peraner-Sweet, seconded by Shaffer, and **VOTED UNANIMOUSLY, to reduce \$420.00 from the bond amount for Caldwell Drive from Station 0+00 to 30+24 leaving a remaining balance of \$30,000.**

Russell's Way - It was moved by Peraner-Sweet, seconded by Shaffer, and **VOTED UNANIMOUSLY, to reduce the bond on Russell's Way from Station 120+00 to 135+52 in the amount of \$15,520.00 leaving a balance of zero.**

Chandler Road – It was moved by Peraner-Sweet, seconded by Shaffer, and **VOTED UNANIMOUSLY, to reduce the bond on Chandler Road from Station 12+00 to 20+50 in the amount of \$20,500.00 leaving a balance of zero.**

It was moved by Peraner-Sweet, seconded by Shaffer, and VOTED UNANIMOUSLY, that the \$30,000.00 that the Board continues to hold in bond money be used for repairs to entire length of Caldwell Drive and/or Chandler Road from Station 12+00 to 20+50, if necessary.

Final Bond Release – Sweetser Place II – No action taken due to lack of appropriate signatures by the Highway Superintendent and Town Engineer.

PUBLIC HEARING CONTINUED, WESTFORD TECH PARK WEST, SITE PLAN REVIEW, SPECIAL PERMITS

Concord/Power Road, Westford West Realty Trust (Gutierrez), Continued from November 17, 2003

Michael Holland, Symmes Maini & McKee, Attorney Doug Deschenes, and Doug Fainelli, Gutierrez Company, were present. Holland showed a plan of the regional traffic with Route 110, Power Road, Concord Road, the regional recreation trail alignment, and Trailside Extension. Holland pointed out the location of the proposed walking trails/pedestrian sidewalks within and around the park. Peraner-Sweet suggested some kind of sidewalk connection along the large wetlands. Shaffer suggested a continuation within the park of the direct spine of the sidewalk up to the Power Road intersection (near the stage 3 building).

Lauren Coffey, 178 Concord Road, questioned the connection sidewalk to the trail because sidewalks are not planned for Power Road. Peraner-Sweet suggested Holland look at putting the sidewalk somewhere within the development to make that connection if the sidewalk cannot go within the right-of-way on Power Road.

Peter Ewing, Old Homestead Road, stated that he did not see connections to all the entrances of the buildings which are critical. Ewing stated that sidewalks need to be six (6) feet wide in order for bicycle use as well. Shaffer stated that the Route 110 Master Plan Committee discussed sidewalk width at great length and came up with a compromise of five (5) feet.

Peter Mahler, 25 Vine Brook Road, Conservation Commission member and Regional Recreation Committee member, was concerned with losing parking if the sidewalk was built in an area that he pointed out. Mahler asked if the access of the regional recreational trail would be in the form of a permanent easement. In order to get funding a permanent easement must be shown. Mahler stated that the width of the easement of the regional recreational trail needs to be eight (8) feet. Fletcher stated that easements and paved width are two different items.

Ed Thomas, Snow Drive, asked for clarification of the parking and building setbacks. Green stated that the Board is waiting for the updated site plan.

Holland showed an exhibit covering the parking spaces that could be eliminated by land banking. The Board was in support of the applicant land banking as many parking spaces as possible. Green asked that the applicant provide information on how parking spaces are determined for a building. Green was interested in distances to buildings and the potential for removal of spaces in other locations.

Bob Krankewicz, 15 Boston Road, referenced comments from the Executive Office of Environmental Affairs regarding the draft EIR and the concerns that the project will generate substantial potentially avoidable impacts on the project site and the area infrastructure, with or without the new connector road on the property. Krankewicz also read a portion of the comments regarding parking. Krankewicz suggested that the money saved by not putting in the bypass road be used for a parking structure.

Holland showed an exhibit which outlines two potential locations for parking structures. Holland indicated that the cost of the two structures would be approximately \$6 million. Holland outlined the constraints that would preclude parking structures. Fletcher felt that the applicant could double the structured parking and put it behind the building and set the buildings slightly closer to the street. Shaffer also suggested more green space in front of the buildings. Fainelli stated that tenant demand is not high for parking structures. Shaffer felt that there were some alternatives to looking at how the parking structures could be built, while meeting some of the Board's objectives regarding the green space and then look at the cost of the structure and what it would do to the layout of the park. Shaffer stated that he could see a potential for increasing parking structures within the some of the parameters already discussed while benefiting the environment and reducing some of the impervious surface. Peraner-Sweet asked the applicant to provide the basis for the calculations showing the cost to build the structures at \$6M. Fainelli indicated that he would provide the requested data.

Kate Hollister, Vine Brook Road, stated that she liked Shaffer's idea of moving the building. Hollister asked for clarification of the setback of the roadway. Hollister requested that the Board ask the applicant to look at alternatives regarding layout of buildings, parking, etc. and be more creative to try to come up with a better solution. Hollister asked what could be done to cut down on the traffic so that the number of parking spaces could be reduced.

Peter Ewing, Old Homestead Road, referenced a publication entitled *Community News* which dealt with smart growth, parking, etc. Ewing read a section regarding parking.

Bob Krankewicz, 15 Boston Road, reiterated his suggestion of eliminating the bypass road and using that money for the parking structures. Fainelli stated that if the connector road is not built, improvements to Route 110 will be necessary. Fainelli stated that the applicant would bear the costs of the Route 110 improvements.

Green stated that he was disappointed with the presentation of alternatives that have been fitted in with the existing building locations. Green stated that he looked forward to additional creativity and creative thinking. Fletcher asked if it was possible to move some of the parking behind the building and move the

buildings closer to the road. Peraner-Sweet stated that the Board would consider doing that and opening up some green space and would consider looking at waivers from setback requirements if it would achieve a green space. Peraner-Sweet asked the applicant to consider land banking the small triangle of parking next to Wetland “G”.

Continued to January 5, 2004 at 8:00 p.m.

PUBLIC HEARING – 540 GROTON ROAD – PRELIMINARY SUBDIVISION

Modern Continental Construction Co., Continued from December 1, 2003

It was moved by Peraner-Sweet, seconded by Shaffer, and VOTED UNANIMOUSLY, to open the public hearing.

Edward Eisenhaure, Engineer for Modern Continental, was present with a plan for a 27-lot industrial subdivision with access off of Groton Road. Eisenhaure stated that the property was purchased to allow for a 14,000 sq. ft. temporary building to be used in conjunction with the Route 3 expansion. The Board requested the applicant show two access locations. Shaffer asked for a larger locus plan. Eisenhaure stated that there are no plans for blasting. Peraner-Sweet noted that part of the site is in Westford and part is in Chelmsford and that a municipal agreement will be needed. Green asked the applicant to provide a master plan for the site. Greenhill stated that he would contact the Town Planner for Chelmsford. There was not input from the floor. Continued to January 5, 2004 at 8:10 p.m.

DISCUSSION ITEM – DRAINAGE EASEMENT – 38 WEST STREET

Butch Newton, 38 West Street, was present. Newton stated that he was approved by the Zoning Board of Appeals to raze two houses and construct one home. Newton stated that there is a drain line running through his property. The Highway Department found an easement on the property. Newton proposed relocating the drainage line with two (2) catch basins in the street. Newton showed a preliminary sketch of the proposed relocation of the drainage. Fletcher stated that Town Counsel will need to prepare the legal documents and the Board of Selectmen will need to release the existing easement. Arsenault stated that the Conservation Commission will also require review of the proposed relocation. **It was moved by Green, seconded by Peraner-Sweet, and VOTED UNANIMOUSLY, to send a letter to the Board of Selectmen in support of the relocation of the easement with the appropriate engineering details to be reviewed by the Town Engineer.**

MISCELLANEOUS:

It was moved by Peraner-Sweet, seconded by Green, and VOTED UNANIMOUSLY, that the Planning Board refund \$1,275.06 to the applicant for Libby Lane owned by Jalsco Development Corp.

It was moved by Peraner-Sweet, seconded by Green, and VOTED UNANIMOUSLY, that the Planning Board refund \$1,350.06 for the project known as Equity Lane owned by Mass Bank.

It was moved by Peraner-Sweet, seconded by Green, and VOTED UNANIMOUSLY, that the Planning Board refund \$2,922.06 for the project known as Minot's Place owned by Boston Post Road Trust.

It was moved by Peraner-Sweet, seconded by Green, and VOTED UNANIMOUSLY, that the Planning Board refund \$1,014.06 to the project WTP East owned by Michelson Farm - Westford Technology Park Trust.

It was moved by Peraner-Sweet, seconded by Green, and VOTED UNANIMOUSLY, that the Planning Board refund \$1,741.16 for the project Westford Swim and Tennis Club owned by Michael and Jan Shyjan.

It was moved by Peraner-Sweet, seconded by Green, and VOTED UNANIMOUSLY, that the Planning Board refund \$1,401.06 for the project Cannonball Lane owned by the Joy Family Realty Trust.

MAILBOX

Letter from EOEА. Peraner-Sweet asked that the letter be forward to the Water Commissioners.

Letter from Westford Permanent School Building Committee enclosing a copy of a sound study report from Cavanaugh Tocci Associates for the Board's review. Greenhill stated that there is a condition to keep the air conditioning units decibel levels below 50. Green asked for architectural details regarding the rooftop units. Shaffer asked for actual data from the middle school site.

MINUTES

It was moved by Peraner-Sweet, seconded by Green, and VOTED UNANIMOUSLY, to approve the minutes of November 17, 2003.

It was moved by Peraner-Sweet, seconded by Palmer, and VOTED UNANIMOUSLY, to approve the minutes of November 17, 2003 Executive Session but not release for publication.

ADJOURNMENT

It was moved by Peraner-Sweet, seconded by Green, and VOTED UNANIMOUSLY, to adjourn the meeting.

